



Alana D. Mitnick  
Tel. (212) 946-4934  
Fax. (646) 861-6138  
amitnick@shelbro.com

December 21, 2007

**Via Email**

Michael Korik, Esq.  
Monaghan, Monaghan, Lamb & Marchisio, LLP  
28 West Grand Avenue  
Montvale, NJ 07645

Re: Anne Bryant et al. v. Europadisk et al.  
07- CV-3050

Dear Mr. Korik:

As you represented to Judge Brieant at the Court conference today, we expect to receive your document production by Friday, December 28<sup>th</sup>. If we do not receive your documents by this date, we will seek the Court's intervention.

We have decided to travel to Florida to conduct Ms. Bernfeld's deposition. Please advise whether Ms. Bernfeld will be available to testify in Florida on either January 8<sup>th</sup>, 9<sup>th</sup> or 10<sup>th</sup>. Please keep in mind that the deadline for completing depositions is January 31<sup>st</sup>, as ordered by the Judge.

I have attached an additional copy of our Rule 68 Offer of Judgment as provided to you today in Court. As stated in the Federal Rules, you are to respond within ten (10) days.

We anticipate your quick response to the above requests, given that the end date for discovery and depositions is approaching.

Respectfully  


Alana D. Mitnick

Enclosure

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
ANNE BRYANT, ELLEN BERNFELD,  
AND GLORYVISION, LTD.,

**RULE 68  
OFFER OF JUDGEMENT**

Civil Action No.: 07-CIV-3050  
(CLB)

Plaintiffs,

-against-

EUROPADISK, LTD., MEDIA RIGHT  
PRODUCTIONS, INC., VERY COOL  
MEDIA, INC., DOUGLAS MAXWELL,  
THE ORCHARD ENTERPRISES, INC.  
AND RUSSELL J. PALLADINO,

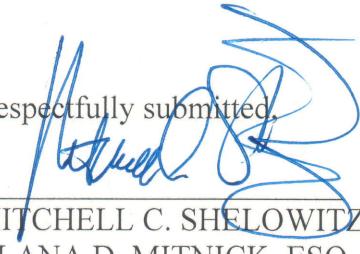
Defendants.

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Defendants, Media Right Productions, Inc., Douglas Maxwell and The Orchard Enterprises, Inc. ("Defendants"), by their attorney, Shelowitz Broder LLP, pursuant to Federal Rule of Civil Procedure 68, hereby propose to Plaintiffs an offer of judgment against Defendants in the amount of three thousand dollars (\$3,000), in full and final resolution of all issues raised in Plaintiffs' complaint and asserted against Defendants, payable within thirty (30) days of acceptance in settlement of all claims and counterclaims and dismissal of all actions. This offer is not to be construed as any admission of fault on the part of Defendants and is not a waiver or relinquishment of their claims asserted in this action. In accordance with Rule 68, this offer shall be made available to Plaintiff for ten (10) days after service of same. As per Rule 68, "If the judgment that the offeree finally obtains is not more favorable than the unaccepted offer, the offeree must pay the costs incurred after the offer was made." See Federal Rules of Civil Procedure 68(d).

Dated: December 21, 2007  
New York, NY

Respectfully submitted,

  
MITCHELL C. SHELOWITZ, ESQ.  
ALANA D. MITNICK, ESQ.  
Attorney for Defendants  
Media Right Productions, Inc.  
Douglas Maxwell and  
The Orchard Enterprises, Inc.  
11 Penn Plaza, 5<sup>th</sup> Floor  
New York, New York 10001  
(212) 655-9384

ACCEPTED AND AGREED TO:

BY: \_\_\_\_\_  
ANNE BRYANT

Sworn to Before me this  
\_\_\_\_ day of December 2007

\_\_\_\_\_  
Notary Public

ACCEPTED AND AGREED TO:

BY: \_\_\_\_\_  
ELLEN BERNFELD

Sworn to Before me this  
\_\_\_\_ day of December 2007

\_\_\_\_\_  
Notary Public

ACCEPTED AND AGREED TO:

Gloryvision, Ltd.

By: \_\_\_\_\_

## CORPORATE NOTARIZATION

On this the \_\_\_\_\_ day of December, 2007 before me came to me known, who, by me duly sworn, did depose and say that deponent resides at \_\_\_\_\_ that deponent is the \_\_\_\_\_ of GLORYVISION, LTD., the corporation herein and which executed the foregoing agreement; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so fixed by order of the board of directors of said corporation, and that he signed his name therefore by like order.

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**Notary Signature**